# **ATTACHMENT 36**

#### 

```
Page 1
                    UNITED STATES DISTRICT COURT
 1
 2
                  NORTHERN DISTRICT OF CALIFORNIA
 3
                          SAN JOSE DIVISION
 4
        CISCO SYSTEMS, INC. Case No.: 5:14-cv-05344-BLF(PSG)
 5
                      Plaintiff,
 6
             v.
 7
        ARISTA NETWORKS, INC.
 8
                      Defendants.
 9
10
11
12
           * HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY *
13
             VIDEOTAPED DEPOSITION OF PHILLIP REMAKER
14
15
                        Palo Alto, California
16
                      Wednesday, March 30, 2016
                               Volume 1
17
18
19
20
21
        Reported by:
22
       LESLIE JOHNSON
23
       RPR, CSR No. 11451
2.4
        Job No.: 2281748
25
        PAGES 1 - 190
```

1	UNITED STATES DISTRICT COURT	1 INDEX
2	FOR THE NORTHERN DISTRICT OF CALIFORNIA	2
3	SAN JOSE DIVISION	3 WITNESS EXAMINATION 4 PHILLIP REMAKER
4		Volume 1
_	CISCO SYSTEMS, INC. Case No.: 5:14-cv-05344-BLF(PSG)	5
5	D1.: : : : : : : : : : : : : : : : :	6 BY MR. FERRALL 8
	Plaintiff,	8 EXHIBITS
6	V.	9 PHILLIP REMAKER
7	٧.	10 NUMBER DESCRIPTION PAGE 11 Exhibit 410 PowerPoint titled "Understanding 52
	ARISTA NETWORKS, INC.	Cisco Culture"; 21 pages
8	,	12
	Defendants.	Exhibit 411 Draft document titled "Phil 64  13 Remaker: Recertifying Keeps 10-Year
9		CCIE At the Top of His Game"; 2 pages
10		14
11		Exhibit 412 Draft document titled "Cisco 67  Services Industry and Standards 67
12		15 Services Industry and Standards Strategy"; Bates stamped
13 14	* HIGHI V CONFIDENTIAL ATTODNEYS EVES ONLY *	16 CSI-CLI-01705202 to 226
14	* HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY *	17 Exhibit 413 Document entitled "Parser Police: 101
16		Where can we go from here?"; Bates stamped CSI-CLI-02635203 to 232
17	VIDEOTAPED DEPOSITION OF PHILLIP REMAKER, Volum	me 1 19 Exhibit 414 E-mail dated 10/21/2004 from David 115
18	taken on behalf of Defendant, at 601 California Avenue,	ristao to qisw-iosx-dev@cisco.com,
19	Palo Alto, California, beginning at 9:31 a.m. and ending	20 et al.; Bates stamped CSI-CLI-01119556 to 58
20	at 5:27 p.m., on Wednesday, March 30, 2016, before	21
21	LESLIE JOHNSON, Certified Shorthand Reporter No. 11451.	Exhibit 415 E-mail chain, top e-mail dated 127
22		11/18/2014 from Phillip Remaker to Manas Moothedath; Bates stamped
23		23 CSI-CLI-01334598 to 99
24		24
25	Page 2	25 Page 4
1	APPEARANCES:	1 EXHIBITS (Cont.) 2 PHILLIP REMAKER
2		3 NUMBER DESCRIPTION PAGE
3	FOR PLAINTIFF CISCO SYSTEMS, INC.:	4 Exhibit 416 E-mail chain, top e-mail dated 129 May 24, 2013, from Douglas Gourlay
4	QUINN EMANUEL URQUHART & SULLIVAN LI	I D 5 to Kenneth Duda, Jeff Hirschman,
5	BY: JOHN (JAY) NEUKOM, ESQ.	Andy Bechtolsheim; Bates stamped 6 ARISTANDCA10798303
6	50 California Street, 22nd Floor	7 Exhibit 417 E-mail chain, top e-mail dated 2/22/2012 from Phillip Remaker to
7	San Francisco, California 94111	8 Monique Morrow, et al.; Bates
8	(415)875-6600	stamped CSI-CLI-01330908 to 909
		Exhibit 418 E-mail thread, top e-mail dated 135
9	johnneukom@quinnemanuel.com	10 2/22/2012, from Phillip Remaker to Carlos Pignataro; Bates stamped
10	FOR DEFENDANT ARISTA NETWORKS, INC.:	11 CSI-CLI-01330910 to 11
11	KEKER & VAN NEST LLP	2/22/2012, fro Phillip Remaker to
12	BY: BRIAN L. FERRALL, ESQ.	13 Kirk Lougheed; Bates stamped CSI-ANI-0054337 and 337-1
13	RYAN WONG, ESQ.	14
14	633 Battery Street	Exhibit 420 E-mail thread, top e-mail dated 139 2/22/2012, from Phillip Remaker to
15	San Francisco, California 94111	Carlos Pignataro; Bates stamped
16	(415)391-5400	16 CSI-CLI-01330914 to 15 17 Exhibit 421 E-mail thread, top e-mail dated 144
17	bferrall@kvn.com	9/12/2013, from Phillip Remaker to 18 Kirk Lougheed; Bates stamped
18	rwong@kvn.com	CSI-CLI-01283493 to 94
19	ALSO PRESENT:	Exhibit 422 E-mail dated 11/22/2005, from 148
		20 Phillip Remaker; Bates stamped
20	SEAN GRANT, Videographer	CSI-CLI-00810106
21		Exhibit 423 E-mail dated 4/15/2008, from Phillip 151
22		22 Remaker to Rick Pratt; Bates stamped CSI-CLI-01133437
23		23
24		Exhibit 424 E-mail thread, top e-mail dated 159 8/2/2007, from Dave McNamee to
0.5		Pradeep Kathail, et al.; Bates
25		25 stamped CSI-CLI-01130272 to 74

will take place unless all parties have agreed to go off the record. Microphones are sensitive and they pick up whispers, private conversations or cellular interference.  At this time, will counsel please identify themselves and state whom they represent.  MR. FERRALL: Brian Ferrall of Keker & Wan Nest on behalf of Defendant Arista Networks.  MR. WONG: Ryan Wong, Keker & Van Nest on behalf of Arista Networks.  behalf of Arista Networks.  Microphones are sensitive and they  A. Okay.  Characteristic of your ability. Okay?  A. Okay.  A. Okay.  Q. If you do answer a question, I'm going to assume that you understood it. Okay?  A. Okay.  Q. If you do answer a question, I'm going to assume that you understood it. Okay?  A. Okay.				
PHILLIP REMAKER  NOMBER  DESCRIPTION  Exhibit 425 E-mail thread, tope-smail product westerine to Man. Prinking Buses stamped CSECLE-1990693 to 79  Exhibit 426 PowerPoint entitled 'Innovation @ 172  CSEON'S, Bates stamped CSECLE-1990695 to 717  Exhibit 427 Metadata: 1 page 173  Exhibit 427 Metadata: 1 page 173  PENDIOUSIY MARKED  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132	1	EXHIBITS (Cont.)	1	MP NEUKOM: John Noukom for the plaintiff
Exhibit 425 Lennil direach top-comail dand 165				
5 Max Prilikin, Haste stamped CSI-CLI-02906678 to 79  Eshibit 426 Prower Print entitled "Innovation @ 172 Cisson" laters stamped CSI-CLI-0336698 to 717  Eshibit 427 Metadata; I page 173  Eshibit 428 E-mail dated 617/2015, from Phillip 180 Remaker to Fred Baker, et al., Bates stamped CSI-CLI-041336698 to 717  Eshibit 428 E-mail dated 617/2015, from Phillip 180 Remaker to Fred Baker, et al., Bates stamped CSI-CLI-04136225 to 27  12 PREVIOUSLY MARKED 13 PREVIOUSLY MARKED 14 ***  15 PREVIOUSLY MARKED 15 Page 6  1 Palo Alto, California, Wednesday, March 30, 2016 2 9.31 a.m. 2 Page 6  1 Palo Alto, California, Wednesday, March 30, 2016 2 9.31 a.m. 4 THE VIDEOGRAPHER: Good morning, We're on the record. The time is 9-31 a.m. and the date is the record. The time is 9-31 a.m. and the date is 6 Grant, here with our court reporter Lesis Johnson. We're here from Veritext Legal Solutions at the request of counsel for Defendant. This deposition is being held at Wilson Sonsini in Palo Alto, 2 California. The caption of this case is Cisco 13 Systems, Inc. versus Arista Networks, Inc., Case No. 14 Self-counter and the date is 5 Please note that audio and video recording will take place unless all parties have agreed to go off the record. Microphones are sensitive and they pick up whispers, private conversations or cellular interference. 2 At this time, will counsel please identify themselves and state whom they represent. 3 Van Nest on behalf of Defendant This Cker & Van Nest on behalf of Arissa Networks. 4 MR. WONG: Ryan Wong, Ecker & Van Nest on behalf of Arissa Networks.  5 Medical Provision of Arissa Networks. 4 MR. WONG: Ryan Wong, Ecker & Van Nest on behalf of Arissa Networks. 5 May Counterstand in the witness.  6 Page 6  1 Page 7 Page 8  1 Page 8  1 A. Yes.  2 Q. What was that matter?  A. It was a patent litigation matter.  Q. Okay. Involving Cisco?  Page 8  1 A. Yes.  Q. Who was the other party in that case?  A. Idon't recall. Q. Okay. How long ago was that deposition?  A. There is not. Q. You understand! 'm sure that you				
CSICLI-0.2006 98 to 79  Eshibit 426 PowerPoint entitled "Innovation @ 172 Close": Bases stamped Schild 1427 Metadata; 1 page 173  Eshibit 428 E-mail dated 617/2015, from Phillip 180 Remaker to Fred Baker, et al; Bases stamped CSF-CLI-01336625 to 27  PREVIOUSLY MARKED  PREVIOUSLY MARKED  Eshibit 136 LinkedIn page for Tony Li; 8 pages 132  Eshibit 136 LinkedIn page for Tony Li; 8 pages 132  Eshibit 136 LinkedIn page for Tony Li; 8 pages 132  Eshibit 136 LinkedIn page for Tony Li; 8 pages 132  PREVIOUSLY MARKED  PREVIOUSLY MARKED  10  11  12  PREVIOUSLY MARKED  13  14  15  16  17  18  19  19  10  PREVIOUSLY MARKED  10  11  12  14  15  16  17  17  18  19  19  10  10  10  10  11  11  12  14  15  16  17  18  19  19  10  10  11  10  11  11  12  12  13  14  15  16  17  17  18  19  19  10  10  11  10  11  11  12  12  13  14  14  15  15  16  17  17  18  19  10  10  11  10  11  11  12  12  14  15  16  17  17  18  19  10  11  10  11  11  12  12  13  14  14  15  16  17  17  17  18  19  10  11  10  11  11  12  12  13  14  14  15  16  17  17  17  18  19  10  11  11  12  12  14  15  16  17  17  18  19  10  11  11  12  12  14  15  16  17  17  17  18  19  10  11  11  12  12  14  15  16  17  17  17  18  19  10  11  12  12  13  14  14  15  16  17  17  17  18  19  10  11  11  12  12  14  15  16  17  17  18  19  10  11  11  12  12  13  14  14  15  16  17  17  17  18  19  10  10  11  11  12  12  13  14  14  15  16  17  17  17  18  19  10  10  10  10  10  10  10  10  10	4			*
Eshibit 426 PowerPoint entitled "Innovation @ 172 Ciseo"; Bates stamped CSI-CLI-0133665 to 717  Eshibit 427 Metadata; 1 page 173  Eshibit 428 L-mail dated 6172015, from Phillip 180 Remaker to Fred Baker, et al.; Bates stamped CSI-CLI-0133625 to 27  PREVIOUSLY MARKED 15  Eshibit 428 L-mail dated 6172015, from Phillip 180 Remaker to Fred Baker, et al.; Bates stamped CSI-CLI-0133625 to 27  PREVIOUSLY MARKED 15  Eshibit 428 L-mail dated 6172015, from Phillip 180 Remaker to Fred Baker, et al.; Bates stamped CSI-CLI-0133625 to 27  PREVIOUSLY MARKED 15  Eshibit 428 L-mail dated 6172015, from Phillip 180 Remaker to Fred Baker, et al.; Bates stamped CSI-CLI-01336225 to 27  BYMR FERRAIL:  Selvibit 136 LinkedIn page for Tony Li; 8 pages 132  Eshibit 428 L-mail dated 6172015, from Phillip 180 Remaker to Fred Baker, et al.; Bates stamped CSI-CLI-01336225 to 27  16  Exhibit 428 L-mail dated 6172015, from Phillip 180 Remaker to Fred Baker, et al.; Bates stamped CSI-CLI-01336225 to 27  17  18  Exhibit 428 L-mail dated 6172015, from Phillip 180 Remaker to Fred Baker, et al.; Bates stamped CSI-CLI-01336225 to 27  18  Exhibit 428 L-mail dated 6172015, from Phillip 180 Remaker to Fred Baker, et al.; Bates stamped CSI-CLI-01336225 to 27  19  10  EXAMINATION  BYMR FERRALL:  A. Phillip Remaker.  A. I have been deposed before:  A. I was a patent litigation matter.  Q. Okay. Involving Cisco?  Fage 8  A. Yes.  O. Who was the other party in that case?  A. I don't recall.  Q. And is there any reason you can't provide truthful restimony today?	5	,		* * * *
Eshibit 428 PewerPoint emitled "Imnovation @ 172 CSCo", Bates samped CSI-CLI-01336095 to 717  Eshibit 427 Metadata; I page 173 10 10 Eshibit 428 E-mail aktate of 172015, from Phillip 180 11		CSI-CLI-02906678 to 79		witness.
Cisco", Bates stamped CSI-CLI-0136669 to 717  Exhibit 427 Metadata; I page  Exhibit 428 E-mail dated 6/17/2015, from Phillip 180  Remaker to Fred Baker, et al., Bates stamped CSI-CLI-01366225 to 27  PREVIOUSLY MARKED  Exhibit 136 Linkedin page for Tony Li; 8 pages 132  Exhibit 136 Linkedin page for Tony Li; 8 pages 132  Exhibit 136 Linkedin page for Tony Li; 8 pages 132  Exhibit 136 Linkedin page for Tony Li; 8 pages 132  Exhibit 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  PREVIOUSLY MARKED  Exhibit 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 132  Marka 136 Linkedin page for Tony Li; 8 pages 13	6	Exhibit 426 PowerPoint entitled "Innovation @ 172		
CSI-CLI-0136695 to 717  Exhibit 427 Metadata, 1 page 173 10  Remaker to Fred Baker, et al.; Bates stamped CSI-CLI-01366225 to 27 13  PREVIOUSLY MARKED 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132 15  Exhibit 136 LinkedIn page for Tony Li; 8 pages 14  Exhibit 136 LinkedIn page for Tony Li; 8 pages 14  Exhibit 136 LinkedIn page for Tony Li; 8 pages 14  Exhibit 136 LinkedIn page for Tony Li; 8 pages 14  Exhibit 136 LinkedIn page for Tony Li; 8 pages 14  Exhibit 136 LinkedIn page for Tony Li; 8 pages 14  Exhibit 136 LinkedIn page for Tony Li; 8 pages 14  Exhibit 136 LinkedIn page for Tony Li; 8 pages 14	7			· · · · · · · · · · · · · · · · · · ·
Exhibit 428 E-mail dated 6/17/2015, from Phillip 180 Remaker to Fred Baker, et al. Bates stamped CSI-CLI-0136225 to 27  13 PREVIOUSLY MARKED PREVIOUSLY MARKED 15 Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  16 Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  17 Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  18 Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  19 Q. Have you ever been deposed before? A. I have been deposed before. Q. How many times? A. Once. Q. How many times? A. Once. Q. What was that matter? A. It was a patent litigation matter. Q. Who was the other party in that case? A. I don't recall. Q. Okay. Involving Cisco? Page 8  1 Palo Alto, California, Wednesday, March 30, 2016 Q. Who was the other party in that case? A. I don't recall. Q. Okay. How long ago was that deposition? A. Probably 8 to 10 years ago. Q. What was the other party in that case? A. I don't recall. Q. Okay. How long ago was that deposition? A. Probably 8 to 10 years ago. Q. Pli just remind you. You understand you're under oath today? A. I understand. Q. Okay. How long ago was that deposition? A. Probably 8 to 10 years ago. Q. Pli just remind you. You understand you're under oath today? A. I understand. Q. Okay. How long ago was that deposition? A. Probably 8 to 10 years ago. Q. Pli just remind you. You understand you're under oath today? A. I understand. Q. And is there any reason you can't provide truthful testimony today? A. I don't recall. Q. Okay. How long ago was that deposition? A. Probably 8 to 10 years ago. Q. And is there any reason you can't provide truthful testimony today? A. There is not. Q. You understand I'm sure that your counsel may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer a question, I'm going to ask you to answer a question, I'm going to ask you to answer a question, I'm going to ask you to answer a question, I'm going to ask you to answer a question, I'm going to ask you to answer a question, I'm going to ask you				-
Exhibit 428 E-mail dated 6/17/2015, from Phillip 180 Remaker to Fred Baker, et al.; Bates stamped CSI-CLI-01336225 to 27  122	8	Evhibit 427 Matadata: 1 maga 172		testified as follows:
Remaker to Fred Baker, et al.; Bates stamped CSI-CLI-01336225 to 27    13	9	Exhibit 427 Wetauata, 1 page 173		
stamped CSI-CLI-01336225 to 27  PREVIOUSLY MARKED  Stabibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 146 LinkedIn page for Tony Li; 8 pages 132  Exhibit 146 LinkedIn page for Tony Li; 8 pages 132  Exhibit 146 LinkedIn page for Tony Li; 8 pages 132  Exhibit 146 LinkedIn page for Tony Li; 8 pages 132  Exhibit 146 LinkedIn page for Tony Li; 8 pages 132  Exhibit 146 LinkedIn page for Tony Li; 8 pages 132  Exhibit 146 LinkedIn page for LinkedIn pages 142  Exhibit 147 Linke you cever been deposed before.  A. Phillip Remaker.  A. Linkerse state your full name.  A. Phillip Remaker.  A. Linkerse state your full name.  A. Phillip Remaker.  A. Linkerse state your full name.  A. Probably 8 to 10 years ago.  Q. Who was the other party in that case?  A. I don't recall.  Q. Okay. How long				
PREVIOUSLY MARKED  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132  Delta	10			
PREVIOUSLY MARKED  Exhibit 136 LinkedIn page for Tony Li; 8 pages 132    14	11	Stamped CSI-CLI-01330223 to 27	13	- Contract of the Contract of
Exhibit 136 LinkedIn page for Tony Li; 8 pages 132    A Phillip Remaker.	12		14	<u>~</u>
Exhibit 136 LinkedIn page for Tony Li; 8 pages 132    A. Phillip Remaker.	13	PREVIOUSLY MARKED	15	
15	13	Exhibit 136 LinkedIn page for Tony Li; 8 pages 132	16	A. Phillip Remaker.
19				
19 Q. Have you ever been deposed before? 20 A. I have been deposed before. 21 Q. How many times? 22 A. Once. 23 Q. What was that matter? 24 A. It was a patent litigation matter. 25 Q. Okay. Involving Cisco? 26 Page 8  1 Palo Alto, California, Wednesday, March 30, 2016 2 9:31 a.m. 2		* * *		
21 Q. How many times? A. Once. 22 Q. What was that matter? 23 Q. What was that matter? 24 A. It was a patent litigation matter. 25 Q. Okay. Involving Cisco? 26 Page 8  1 Palo Alto, California, Wednesday, March 30, 2016 2 9:31 a.m. 2 Q. Who was the other party in that case? 3 A. I don't recall. 4 THE VIDEOGRAPHER: Good morning. We're on the record. The time is 9:31 a.m. and the date is 5 the record. The time is 9:31 a.m. and the date is 6 March 30th, 2016. This begins of videotaped deposition of Mr. Phillip remaker. My name is Sean Grant, here with our court reporter Leslie Johnson. 9 We're here from Veritext Legal Solutions at the request of counsel for Defendant. This deposition is being held at Wilson Sonsini in Palo Alto, 11 Explain the caption of this case is Cisco is Systems, Inc. versus Arista Networks, Inc., Case No. 5414-CV-05344-BLF. 15 Please note that audio and video recording will take place unless all parties have agreed to go off the record. Microphones are sensitive and they pick up whispers, private conversations or cellular interference. 16 A. Yes. 17 Q. Okay. How long ago was that deposition? 18 A. Probably 8 to 10 years ago. 19 Q. I'll just remind you. You understand you're under oath today? 20 A. There is not. 21 Q. Vou understand I'm sure that your counsel may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer that question to the best of your ability. Okay? 21 A. Okay. 22 Q. And if you don't understand a question, let me know. I'll try to clarify that. All right? 23 A. Okay. 24 MR. WONG: Ryan Wong, Keker & Van Nest on behalf of Defendant Arista Networks. 25 A. Probably 8 to 10 years ago. 26 L'Il just remind you. You understand you can't provide truthful testimony today? 27 A. Chay. 28 A. Okay. 29 And if you don't understand a question, let me know. I'll try to clarify that. All right? 39 A. Okay. 40 And if you don't understand a question, let me know. I'll try to clarify that. All right? 41 A. Okay. 42 A. Okay. 43 A. Ok			19	Q. Have you ever been deposed before?
22 A. Once. 23 Q. What was that matter? 24 A. It was a patent litigation matter. 25 Q. Okay. Involving Cisco?  Page 8  Page 6  Page 8  A. Yes. Q. Who was the other party in that case? A. I don't recall. Q. Okay. How long ago was that deposition? A. Probably 8 to 10 years ago. Q. Who was the other party in that case? A. I don't recall. Q. Okay. How long ago was that deposition? A. Probably 8 to 10 years ago. Q. Who was the other party in that case? A. I don't recall. Q. Okay. How long ago was that deposition? A. Probably 8 to 10 years ago. Q. Who was the other party in that case? A. I don't recall. Q. Okay. How long ago was that deposition? A. Probably 8 to 10 years ago. Q. Who was the other party in that case? A. I don't recall. Q. Okay. How long ago was that deposition? A. Probably 8 to 10 years ago. Q. I'll just remind you. You understand you're under oath today? A. There is not. Q. You understand. The caption of this case is Cisco Q. You understand I'm sure that your counsel may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer that question to the best of your ability. Okay? A. Okay. Q. And if you don't understand a question, let me know. I'll try to clarify that. All right? A. Okay. Q. If you do answer a question, I'm going to assume that you understood it. Okay? A. Okay. Q. If you do answer a question, I'm going to assume that you understood it. Okay? A. Okay. Q. Fair? And of course, we'll take breaks			20	A. I have been deposed before.
22 A. Once. 23 Q. What was that matter? 24 A. It was a patent litigation matter. 25 Q. Okay. Involving Cisco? 26 Page 8  1 Palo Alto, California, Wednesday, March 30, 2016 2 9:31 a.m. 3 A. Yes. 4 THE VIDEOGRAPHER: Good morning. We're on the record. The time is 9:31 a.m. and the date is 5 March 30th, 2016. This begins of videotaped deposition of Mr. Phillip remaker. My name is Sean Grant, here with our court reporter Leslie Johnson. 9 We're here from Veritext Legal Solutions at the request of counsel for Defendant. This deposition is being held at Wilson Sonsini in Palo Alto, 211 california. The caption of this case is Cisco 13 Systems, Inc. versus Arista Networks, Inc., Case No. 5414-CV-05344-BLF. 15 Please note that audio and video recording will take place unless all parties have agreed to go off the record. Microphones are sensitive and they pick up whispers, private conversations or cellular interference. 19 Art this time, will counsel please identify themselves and state whom they represent. 20 MR, FERRALL: Brian Ferrall of Keker & 22 Van Nest on behalf of Defendant Arista Networks. 3 A. Okay. 4 Okay. 5 A. Okay.  9 Who was the other party in that case? 4 A. I don't recall. 9 Okay. How long ago was that deposition? 4 A. Probably 8 to 10 years ago. 9 Uhl understand you're under oath today? 4 A. I understand you're under oath today? 4 A. I understand you're under oath today? 4 A. There is not. 9 Q. And is there any reason you can't provide truthful testimony today? 4 A. There is not. 9 Q. You understand I'm sure that your counsel may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer that question to the best of your ability. Okay? 4 A. Okay. 9 Q. If you do answer a question, I'm going to assume that you understood it. Okay? 4 A. Okay. 9 Q. If you do answer a question, I'm going to assume that you understood it. Okay? 4 A. Okay. 9 Q. Fair? 4 A. Owen.  9 Q. Who was the other party in that case? 4 A. I don't recall. 9 Q. And is there any rea			21	Q. How many times?
Page 6  Page 6  Page 6  Page 8  A. It was a patent litigation matter.  Q. Okay. Involving Cisco?  Page 8  Page 8  Page 8  Page 8  A. It was a patent litigation matter.  Q. Okay. Involving Cisco?  Page 8  A. It don't recall.  A. Yes.  Q. Who was the other party in that case?  A. I don't recall.  Q. Okay. How long ago was that deposition?  A. Probably 8 to 10 years ago.  Q. I'll just remind you. You understand you're under oath today?  A. It understand.  Q. And is there any reason you can't provide truthful testimony today?  A. There is not.  Q. And is there any reason you can't provide truthful testimony today?  A. There is not.  Q. And is there any reason you can't provide truthful testimony today?  A. There is not.  Q. And is there any reason you can't provide truthful testimony today?  A. There is not.  Q. And is there any reason you can't provide truthful testimony today?  A. There is not.  Q. And is there any reason you can't provide truthful testimony today?  A. There is not.  Q. And is there any reason you can't provide truthful testimony today?  A. There is not.  Q. And is there any reason you can't provide truthful testimony today?  A. There is not.  Q. And is there any reason you can't provide truthful testimony today?  A. There is not.  Q. And is there any reason you can't provide truthful testimony today?  A. There is not.  Q. You understand I'm sure that your counsel may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer and question, let me know. I'll try to clarify that. All right?  A. I don't recall.  A. I don't re			22	A. Once.
Page 6  Page 6  Page 8  Page 8  Page 8  Page 8  Page 8  A. It was a patent intigation matter.  Q. Okay. Involving Cisco?  Page 8  A. Yes.  Q. Who was the other party in that case?  A. I don't recall.  Q. Okay. How long ago was that deposition?  A. Probably 8 to 10 years ago.  Q. I'll just remind you. You understand you're under oath today?  A. I understand.  Q. And is there any reason you can't provide truthful testimony today?  A. I understand.  Q. And is there any reason you can't provide truthful testimony today?  A. There is not.  Q. You understand I'm sure that your counsel may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer that question to the best of your ability. Okay?  A. Okay.  A. It was a patent intigation matter.  Q. Okay. Involving Cisco?  Page 8  A. It was a patent intigation matter.  A. Yes.  Q. Who was the other party in that case?  A. I don't recall.  Q. Okay. How long ago was that deposition?  A. Probably 8 to 10 years ago.  Q. I'll just remind you. You understand you're under oath today?  A. I understand.  Q. And is there any reason you can't provide truthful testimony today?  A. There is not.  Q. You understand I'm sure that your counsel may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer that question to the best of your ability. Okay?  A. Okay.  Q. And if you don't understand a question, I'm going to assume that you understood it. Okay?  A. Okay.  Q. If you do answer a question, I'm going to assume that you understood it. Okay?  A. Okay.  Q. Fair?  And of course, we'll take breaks			23	Q. What was that matter?
Page 6  Page 6  Page 6  Page 8  A. Yes.  Q. Who was the other party in that case? A. I don't recall. Q. Okay. How long ago was that deposition? A. Probably 8 to 10 years ago. Q. I'll just remind you. You understand you're under oath today? A. I understand. Q. And is there any reason you can't provide truthful testimony today? A. There is not. Q. You understand I'm sure that your counsel may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer that question to the best of your ability. Okay? A. Okay.  Van Nest on behalf of Defendant Arista Networks.  Page 8  A. Yes.  A. Yes.  Q. Who was the other party in that case? A. I don't recall. A. Probably 8 to 10 years ago. Q. I'll just remind you. You understand you're under oath today? A. I understand. Q. And is there any reason you can't provide truthful testimony today? A. There is not. Q. You understand I'm sure that your counsel may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer and question, I'm going to assume that you understand a question, I'm going to assume that you understood it. Okay? A. Okay.  Q. If you do answer a question, I'm going to assume that you understood it. Okay? A. Okay.  Q. Fair? And of course, we'll take breaks			24	A. It was a patent litigation matter.
Page 6  Page 8  A. Yes.  Q. Who was the other party in that case?  A. I don't recall.  Q. Okay. How long ago was that deposition?  A. Probably 8 to 10 years ago.  Q. I'll just remind you. You understand you're under oath today?  A. I understand.  Q. And is there any reason you can't provide truthful testimony today?  A. There is not.  Q. You understand I'm sure that your counsel for Defendant. This deposition is being held at Wilson Sonsini in Palo Alto,  Systems, Inc. versus Arista Networks, Inc., Case No.  Please note that audio and video recording will take place unless all parties have agreed to go off the record. Microphones are sensitive and they pick up whispers, private conversations or cellular interference.  A. Yes.  Q. Who was the other party in that case?  A. I don't recall.  Q. Okay. How long ago was that deposition?  A. Probably 8 to 10 years ago.  Q. I'll just remind you. You understand you're under oath today?  A. There is not.  Q. You understand I'm sure that your counsel may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer that question to the best of your ability. Okay?  A. Okay.  Q. And if you don't understand a question, let me know. I'll try to clarify that. All right?  A. Okay.  Q. If you do answer a question, I'm going to assume that you understood it. Okay?  A. Okay.  Q. Fair?  And of course, we'll take breaks			25	
2 9:31 a.m. 2 A. I don't recall. 4 THE VIDEOGRAPHER: Good morning. We're on the record. The time is 9:31 a.m. and the date is the record. The time is 9:31 a.m. and the date is 5 A. Probably 8 to 10 years ago. 4 A. Probably 8 to 10 years ago. 4 A. Probably 8 to 10 years ago. 5 A. I understand you're under oath today? 5 A. I understand you're under oath today? 6 A. I understand. 9 We're here from Veritext Legal Solutions at the 10 request of counsel for Defendant. This deposition 10 request of counsel for Defendant and to all to the provide truthful testimony today? 6 A. There is not. 9 You understand I'm sure that your counsel 12 may make objections periodically, but unless there 13 is an instruction not to answer a question, I'm 14 going to ask you to answer that question to the best of your ability. Okay? 15 A. Okay. 16 A. Okay. 17 Okay. 17 Okay. 18 pick up whispers, private conversations or cellular 19 interference. 19 themselves and state whom they represent. 20 MR. FERRALL: Brian Ferrall of Keker & 22 MR. FERRALL: Brian Ferrall of Keker & 22 Wan Nest on behalf of Defendant Arista Networks. 24 MR. WONG: Ryan Wong, Keker & Van Nest on behalf of Arista Networks. 25 And of course, we'll take breaks		Page 6		
2 9:31 a.m. 3 THE VIDEOGRAPHER: Good morning. We're on the record. The time is 9:31 a.m. and the date is the record. The time is 9:31 a.m. and the date is 5 A. Probably 8 to 10 years ago.  6 March 30th, 2016. This begins of videotaped deposition of Mr. Phillip remaker. My name is Sean Grant, here with our court reporter Leslie Johnson.  9 We're here from Veritext Legal Solutions at the request of counsel for Defendant. This deposition is being held at Wilson Sonsini in Palo Alto,  12 California. The caption of this case is Cisco 22 Q. You understand I'm sure that your counsel may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer that question to the best of your ability. Okay?  18 pick up whispers, private conversations or cellular interference.  20 At this time, will counsel please identify themselves and state whom they represent.  21 A. I don't recall.  Q. Okay. How long ago was that deposition?  A. Probably 8 to 10 years ago.  Q. I'll just remind you. You understand you're under oath today?  A. I understand.  Q. And is there any reason you can't provide truthful testimony today?  A. There is not.  Q. You understand I'm sure that your counsel may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer that question to the best of your ability. Okay?  A. Okay.  Q. And if you don't understand a question, let me know. I'll try to clarify that. All right?  A. Okay.  Q. If you do answer a question, I'm going to assume that you understood it. Okay?  A. Okay.  Q. If you do answer a question, I'm going to assume that you understood it. Okay?  A. Okay.  Q. Fair?  And of course, we'll take breaks				
A. I don't recall.  4 THE VIDEOGRAPHER: Good morning. We're on 4 the record. The time is 9:31 a.m. and the date is 5 the record. The time is 9:31 a.m. and the date is 6 March 30th, 2016. This begins of videotaped 6 March 30th, 2016. This begins of videotaped 6 Grant, here with our court reporter Leslie Johnson. 8 Grant, here with our court reporter Leslie Johnson. 9 We're here from Veritext Legal Solutions at the 9 Q. And is there any reason you can't provide 10 request of counsel for Defendant. This deposition 10 is being held at Wilson Sonsini in Palo Alto, 11 is being held at Wilson Sonsini in Palo Alto, 12 California. The caption of this case is Cisco 12 Systems, Inc. versus Arista Networks, Inc., Case No. 13 Systems, Inc. versus Arista Networks, Inc., Case No. 14 S414-CV-05344-BLF. 15 Please note that audio and video recording 16 will take place unless all parties have agreed to go 17 off the record. Microphones are sensitive and they 18 pick up whispers, private conversations or cellular 19 interference. 19 Interference 19 Inte	1	-		
THE VIDEOGRAPHER: Good morning. We're on the record. The time is 9:31 a.m. and the date is the record. The time is 9:31 a.m. and the date is deposition of Mr. Phillip remaker. My name is Sean Grant, here with our court reporter Leslie Johnson.  We're here from Veritext Legal Solutions at the request of counsel for Defendant. This deposition is being held at Wilson Sonsini in Palo Alto, is being held at Wilson Sonsini in Palo Alto, California. The caption of this case is Cisco Systems, Inc. versus Arista Networks, Inc., Case No. Please note that audio and video recording will take place unless all parties have agreed to go off the record. Microphones are sensitive and they pick up whispers, private conversations or cellular interference.  At this time, will counsel please identify themselves and state whom they represent.  MR. FERRALL: Brian Ferrall of Keker & Van Nest on behalf of Arista Networks.  MR. WONG: Ryan Wong, Keker & Van Nest on behalf of Arista Networks.  March 30th, 2016. This tegosition is deated in the deposition of the date is an interderence and today?  A. Probably 8 to 10 years ago.  Q. I'll just remind you. You understand you're under oath today?  A. I understand.  Q. And is there any reason you can't provide truthful testimony today?  A. There is not.  Q. You understand I'm sure that your counsel may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer that question to the best of your ability. Okay?  A. Okay.  Q. And if you don't understand a question, let me know. I'll try to clarify that. All right?  A. Okay.  Q. If you do answer a question, I'm going to assume that you understood it. Okay?  A. Okay.  Q. Fair?  And of course, we'll take breaks	2	9:31 a.m.		
the record. The time is 9:31 a.m. and the date is March 30th, 2016. This begins of videotaped deposition of Mr. Phillip remaker. My name is Sean Grant, here with our court reporter Leslie Johnson. We're here from Veritext Legal Solutions at the request of counsel for Defendant. This deposition is being held at Wilson Sonsini in Palo Alto, California. The caption of this case is Cisco Systems, Inc. versus Arista Networks, Inc., Case No. Please note that audio and video recording will take place unless all parties have agreed to go off the record. Microphones are sensitive and they pick up whispers, private conversations or cellular interference. At this time, will counsel please identify themselves and state whom they represent. MR. FERRALL: Brian Ferrall of Keker & Wan Nest on behalf of Defendant Arista Networks.  A. Probably 8 to 10 years ago. Q. I'll just remind you. You understand you're under oath today? A. I understand. Q. And is there any reason you can't provide truthful testimony today? A. There is not. Q. You understand I'm sure that your counsel may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer that question to the best of your ability. Okay? A. Okay. Q. And if you don't understand a question, let me know. I'll try to clarify that. All right? A. Okay. Q. If you do answer a question, I'm going to assume that you understood it. Okay? A. Okay. Q. Fair? A. Okay. Q. Fair? A. Okay. Q. Fair? A. Okay. Q. Fair? And of course, we'll take breaks	3			
March 30th, 2016. This begins of videotaped deposition of Mr. Phillip remaker. My name is Sean Grant, here with our court reporter Leslie Johnson. We're here from Veritext Legal Solutions at the request of counsel for Defendant. This deposition is being held at Wilson Sonsini in Palo Alto, California. The caption of this case is Cisco Systems, Inc. versus Arista Networks, Inc., Case No. 14 S414-CV-05344-BLF. 15 Please note that audio and video recording will take place unless all parties have agreed to go pick up whispers, private conversations or cellular interference. At this time, will counsel please identify themselves and state whom they represent. 22 Wan Nest on behalf of Arista Networks. My name is Sean 7 you're under oath today?  A. I understand.  9 Q. And is there any reason you can't provide truthful testimony today?  A. There is not.  Q. You understand I'm sure that your counsel may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer that question to the best of your ability. Okay?  A. Okay.  Q. And if you don't understand a question, let me know. I'll try to clarify that. All right?  A. Okay.  Q. If you do answer a question, I'm going to assume that you understood it. Okay?  A. Okay.  Q. Fair?  A. Okay.  Q. Fair?  A. Okay.  Q. Fair?  A. Okay.  Q. Fair?		E C		
deposition of Mr. Phillip remaker. My name is Sean Grant, here with our court reporter Leslie Johnson. We're here from Veritext Legal Solutions at the request of counsel for Defendant. This deposition is being held at Wilson Sonsini in Palo Alto, California. The caption of this case is Cisco Systems, Inc. versus Arista Networks, Inc., Case No. Hease note that audio and video recording will take place unless all parties have agreed to go fof the record. Microphones are sensitive and they pick up whispers, private conversations or cellular interference. At this time, will counsel please identify themselves and state whom they represent.  MR. FERRALL: Brian Ferrall of Keker & Wan Nest on behalf of Defendant Arista Networks.  MR. WONG: Ryan Wong, Keker & Van Nest on behalf of Arista Networks.	5			, ,
Grant, here with our court reporter Leslie Johnson.  We're here from Veritext Legal Solutions at the request of counsel for Defendant. This deposition is being held at Wilson Sonsini in Palo Alto, California. The caption of this case is Cisco Systems, Inc. versus Arista Networks, Inc., Case No. Please note that audio and video recording will take place unless all parties have agreed to go off the record. Microphones are sensitive and they pick up whispers, private conversations or cellular interference. At this time, will counsel please identify At themselves and state whom they represent. At I understand.  Q. And is there any reason you can't provide truthful testimony today?  A. There is not.  Q. You understand I'm sure that your counsel may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer that question to the best of your ability. Okay?  A. Okay.  A. Okay.  A. There is not.  Q. You understand I'm sure that you counsel may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer that question to the best of your ability. Okay?  A. Okay.  A.	6			· ·
9 We're here from Veritext Legal Solutions at the 10 request of counsel for Defendant. This deposition 11 is being held at Wilson Sonsini in Palo Alto, 12 California. The caption of this case is Cisco 13 Systems, Inc. versus Arista Networks, Inc., Case No. 14 5414-CV-05344-BLF. 15 Please note that audio and video recording 16 will take place unless all parties have agreed to go 17 off the record. Microphones are sensitive and they 18 pick up whispers, private conversations or cellular 19 interference. 20 At this time, will counsel please identify 21 themselves and state whom they represent. 22 MR. FERRALL: Brian Ferrall of Keker & 23 Van Nest on behalf of Defendant Arista Networks. 24 MR. WONG: Ryan Wong, Keker & Van Nest on behalf of Arista Networks. 25 behalf of Arista Networks. 26 And is there any reason you can't provide truthful testimony today?  A. There is not.  20 <b>Q. You understand I'm sure that your counsel</b> 13 may make objections periodically, but unless there is an instruction not to answer a question, I'm going to ask you to answer that question to the best of your ability. Okay?  A. Okay.  Q. And if you don't understand a question, let me know. I'll try to clarify that. All right?  A. Okay.  Q. If you do answer a question, I'm going to assume that you understood it. Okay?  A. Okay.  Q. Fair?  A. Okay.  A. Okay.	7		7	·
request of counsel for Defendant. This deposition is being held at Wilson Sonsini in Palo Alto, California. The caption of this case is Cisco Systems, Inc. versus Arista Networks, Inc., Case No. Please note that audio and video recording will take place unless all parties have agreed to go off the record. Microphones are sensitive and they pick up whispers, private conversations or cellular interference. At this time, will counsel please identify At this time, will counsel please identify An Okay.  MR. FERRALL: Brian Ferrall of Keker & Wan Nest on behalf of Defendant Arista Networks.  MR. WONG: Ryan Wong, Keker & Van Nest on behalf of Arista Networks.	8		8	A. I understand.
11 is being held at Wilson Sonsini in Palo Alto, 12 California. The caption of this case is Cisco 13 Systems, Inc. versus Arista Networks, Inc., Case No. 14 5414-CV-05344-BLF. 15 Please note that audio and video recording 16 will take place unless all parties have agreed to go 17 off the record. Microphones are sensitive and they 18 pick up whispers, private conversations or cellular 19 interference. 20 At this time, will counsel please identify 21 themselves and state whom they represent. 22 MR. FERRALL: Brian Ferrall of Keker & 23 Van Nest on behalf of Defendant Arista Networks. 24 MR. WONG: Ryan Wong, Keker & Van Nest on 25 behalf of Arista Networks. 26 And of course, we'll take breaks	9		9	Q. And is there any reason you can't provide
California. The caption of this case is Cisco Systems, Inc. versus Arista Networks, Inc., Case No.  Systems, Inc. versus Arista You understand I'm sure that you unless there is an instruction not to answer a question, I'm going to ask you to answer that question to the best of your ability. Okay?  A. Okay.  A. Okay.  A. Okay.  A. Okay.  A. Okay.  A. Okay.  Van Nest on behalf of Defendant Arista Networks.  MR. WONG: Ryan Wong, Keker & Van Nest on behalf of Arista Networks.  Systems, Inc. versus arista in struction not to answer a question, I'm going to ask you to answer that question to the best of your ability. Okay?  A. Okay.  A. O	10		10	truthful testimony today?
Systems, Inc. versus Arista Networks, Inc., Case No.  14 5414-CV-05344-BLF.  15 Please note that audio and video recording 16 will take place unless all parties have agreed to go 17 off the record. Microphones are sensitive and they 18 pick up whispers, private conversations or cellular 19 interference.  20 At this time, will counsel please identify 21 themselves and state whom they represent. 22 MR. FERRALL: Brian Ferrall of Keker & 23 Van Nest on behalf of Defendant Arista Networks. 24 MR. WONG: Ryan Wong, Keker & Van Nest on 25 behalf of Arista Networks. 26 And of course, we'll take breaks			11	A. There is not.
14 5414-CV-05344-BLF. 15 Please note that audio and video recording 16 will take place unless all parties have agreed to go 17 off the record. Microphones are sensitive and they 18 pick up whispers, private conversations or cellular 19 interference. 20 At this time, will counsel please identify 21 themselves and state whom they represent. 22 MR. FERRALL: Brian Ferrall of Keker & 23 Van Nest on behalf of Defendant Arista Networks. 24 MR. WONG: Ryan Wong, Keker & Van Nest on 25 behalf of Arista Networks. 26 And of course, we'll take breaks	12	*	12	Q. You understand I'm sure that your counsel
pick up whispers, private conversations or cellular interference.  At this time, will counsel please identify themselves and state whom they represent.  MR. FERRALL: Brian Ferrall of Keker & Van Nest on behalf of Arista Networks.  MR. WONG: Ryan Wong, Keker & Van Nest on behalf of Arista Networks.  Poff the record. Microphones are sensitive and they of your ability. Okay?  A. Okay.  Q. And if you don't understand a question, let me know. I'll try to clarify that. All right?  A. Okay.  Q. If you do answer a question, I'm going to ask you to answer that question to the best of your ability. Okay?  A. Okay.  Q. And if you don't understand a question, let me know. I'll try to clarify that. All right?  A. Okay.  Q. If you do answer a question, I'm going to assume that you understood it. Okay?  A. Okay.  Q. Fair?  A. Okay.  A. Oka	13	Systems, Inc. versus Arista Networks, Inc., Case No.	13	
will take place unless all parties have agreed to go off the record. Microphones are sensitive and they pick up whispers, private conversations or cellular interference.  At this time, will counsel please identify themselves and state whom they represent.  MR. FERRALL: Brian Ferrall of Keker & Wan Nest on behalf of Defendant Arista Networks.  MR. WONG: Ryan Wong, Keker & Van Nest on behalf of Arista Networks.  behalf of Arista Networks.  Microphones are sensitive and they  A. Okay.  Let me know. I'll try to clarify that. All right?  A. Okay.  Q. If you do answer a question, I'm going to assume that you understood it. Okay?  A. Okay.  Q. Fair?  A. Okay.  A. O	14		14	is an instruction not to answer a question, I'm
off the record. Microphones are sensitive and they pick up whispers, private conversations or cellular interference.  At this time, will counsel please identify  MR. FERRALL: Brian Ferrall of Keker &  Van Nest on behalf of Defendant Arista Networks.  MR. WONG: Ryan Wong, Keker & Van Nest on behalf of Arista Networks.  A. Okay.  Q. And if you don't understand a question, let me know. I'll try to clarify that. All right?  A. Okay.  Q. If you do answer a question, I'm going to assume that you understood it. Okay?  A. Okay.  Q. If you do answer a question, I'm going to assume that you understood it. Okay?  A. Okay.  Q. Fair?  A. Okay.  A. Okay.  Q. Fair?  A. Okay.	15	Please note that audio and video recording	15	going to ask you to answer that question to the best
pick up whispers, private conversations or cellular interference.  19	16	will take place unless all parties have agreed to go	16	of your ability. Okay?
19 interference. 20 At this time, will counsel please identify 21 themselves and state whom they represent. 22 MR. FERRALL: Brian Ferrall of Keker & 23 Van Nest on behalf of Defendant Arista Networks. 24 MR. WONG: Ryan Wong, Keker & Van Nest on 25 behalf of Arista Networks. 26 Let me know. I'll try to clarify that. All right? 27 A. Okay. 28 Assume that you understood it. Okay? 29 A. Okay. 20 A. Okay. 21 A. Okay. 22 A. Okay. 23 A. Okay. 24 A. Okay. 25 And of course, we'll take breaks	17	off the record. Microphones are sensitive and they	17	A. Okay.
19 interference. 20 At this time, will counsel please identify 21 themselves and state whom they represent. 22 MR. FERRALL: Brian Ferrall of Keker & 23 Van Nest on behalf of Defendant Arista Networks. 24 MR. WONG: Ryan Wong, Keker & Van Nest on 25 behalf of Arista Networks. 26 Let me know. I'll try to clarify that. All right?  A. Okay.  27 A. Okay.  28 A. Okay.  29 A. Okay.  40 Fair?  41 Q. Fair?  42 And of course, we'll take breaks	18	pick up whispers, private conversations or cellular	18	Q. And if you don't understand a question,
At this time, will counsel please identify themselves and state whom they represent.  MR. FERRALL: Brian Ferrall of Keker & 22 Van Nest on behalf of Defendant Arista Networks.  MR. WONG: Ryan Wong, Keker & Van Nest on behalf of Arista Networks.  behalf of Arista Networks.  A. Okay.	19	interference.	19	·
themselves and state whom they represent.  21 Q. If you do answer a question, I'm going to assume that you understood it. Okay?  Van Nest on behalf of Defendant Arista Networks.  Van Nest on behalf of Defendant Arista Networks.  MR. WONG: Ryan Wong, Keker & Van Nest on behalf of Arista Networks.  22 A. Okay.  Q. Fair?  And of course, we'll take breaks	20	At this time, will counsel please identify	20	
22 MR. FERRALL: Brian Ferrall of Keker & 22 assume that you understood it. Okay? 23 Van Nest on behalf of Defendant Arista Networks. 24 MR. WONG: Ryan Wong, Keker & Van Nest on behalf of Arista Networks. 25 behalf of Arista Networks. 26 And of course, we'll take breaks	21		21	-
Van Nest on behalf of Defendant Arista Networks.  24 MR. WONG: Ryan Wong, Keker & Van Nest on behalf of Arista Networks.  25 behalf of Arista Networks.  28 A. Okay.  29 Q. Fair?  25 And of course, we'll take breaks	22		22	
MR. WONG: Ryan Wong, Keker & Van Nest on behalf of Arista Networks.  24  Q. Fair?  And of course, we'll take breaks	23	Van Nest on behalf of Defendant Arista Networks.	23	· · · · · · · · · · · · · · · · · · ·
behalf of Arista Networks. 25 And of course, we'll take breaks				
· · · · · · · · · · · · · · · · · · ·	25			_
- ago , <sub> </sub>		Page 7		Page 9

1		1	1 4
1	such as this?	1	best guess of how to behave, rather than falling
2	A. It was my idea.	2	back on pedantic exactness and causing a failure.
3	Q. Let me ask you to turn to page 8 of this	3	And the second part is that we should
4	exhibit. This slide is entitled "Engineering	4	adhere and hew very closely without mistakes to
5	Philosophy."	5	standards.
6	Do you see that?	6	Q. And why is it that you say we should hew
7	A. Yes.	7	very closely to standards?
8	Q. Can you tell me what the purpose of these	8	A. We can't necessarily trust a third-party
9	bullet points under "Engineering Philosophy" was		device will be as forgiving as our device will be.
10	A. Can you be specific?	10	Q. And so why does that support the
11	Q. Yeah. Why did you feel it was important	11	philosophy of hewing closely to a standard?
12	or necessary to convey these points about	12	MR. NEUKOM: Objection. Asks for opinion
13	engineering philosophy?	13	and vague.
14	A. Some of these points help understand the	14	THE WITNESS: The purpose of a protocol is
15	way a product is designed and the way it behaves as	15	to achieve some customer end, and to the extent you
16	well as the best way to interact with your peers in	16	can do so, without causing a failure is important to
17	engineering.	17	customers.
18	Q. Whose engineering philosophy does this	18	BY MR. FERRALL:
19	reflect? Is this Cisco's or TAC or what?	19	Q. Can you read the next bullet point on
20	A. This is actually	20	slide 8?
21	MR. NEUKOM: Stop. Remember, it's	21	A. "Bug for bug compatibility (nerd knob)."
22	important to make sure that Mr. Ferrall is done	22	Q. What does that mean?
23	asking the question.	23	A. In some cases, a third party may create a
24	BY MR. FERRALL:	24	bug beyond the realm of what could be acceptable
25	Q. All right. I was done.	25	within the bounds of a standard, but nevertheless,
25	Page 54	20	Page 56
1	Do you want the question read back?	1	that bug is out in the wild and causing problems for
2	A. Yes, please.	2	customers. The ability to allow our product to work
3	Q. Okay. I'll just restate it.	3	in the face of that bug is more important than
4	My question was, whose engineering	4	adhering to the standard. So the ability to add a
5	philosophy does this reflect?	5	feature, a command, or something for a customer in
6	A. This is my personal interpretation of the	6	order to cope with that bug is important to our
7	behavior of engineering.	7	customers. So it's a continuation of the idea prior
8	Q. Behavior of engineering generally or	8	to it.
9	engineering at Cisco or something else?	9	Q. And what does "nerd knob" mean?
10	A. This is specifically the engineering at	10	A. A nerd knob is a setting that would only
11	Cisco.	11	be set by somebody who had very deep knowledge of
12	Q. The second bullet point, can you read that	12	why it should be set. So the person with deep
13	for me?	13	knowledge is a nerd, and the command is the knob.
14	A "Re liberal in what you accept and strict	14	Q. Okay. And then the last bullet point on
15	A. "Be liberal in what you accept and strict	1 -	
16	in what you send."	15	this slide says "Cisco is Cisco's first best
	in what you send."  Q. Do you know where that pearl of wisdom	16	customer."
17	in what you send."  Q. Do you know where that pearl of wisdom comes from?	16 17	customer."  Do you see that?
17 18	in what you send."  Q. Do you know where that pearl of wisdom comes from?  A. I believe that it came from the Internet	16 17 18	customer."  Do you see that?  A. Yes.
17 18 19	in what you send."  Q. Do you know where that pearl of wisdom comes from?  A. I believe that it came from the Internet Engineering Task Force or IETF.	16 17 18 19	customer."  Do you see that?  A. Yes.  Q. What does that mean?
17 18 19 20	in what you send."  Q. Do you know where that pearl of wisdom comes from?  A. I believe that it came from the Internet Engineering Task Force or IETF.  Q. And what do you understand that to mean	16 17 18 19 20	customer."  Do you see that?  A. Yes.  Q. What does that mean?  A. Cisco is the first consumer of Cisco's
17 18 19 20 21	in what you send."  Q. Do you know where that pearl of wisdom comes from?  A. I believe that it came from the Internet Engineering Task Force or IETF.  Q. And what do you understand that to mean A. Protocols especially can be complicated,	16 17 18 19 20 21	customer."  Do you see that?  A. Yes.  Q. What does that mean?  A. Cisco is the first consumer of Cisco's products. There is a program at Cisco called "Cisco
17 18 19 20 21 22	in what you send."  Q. Do you know where that pearl of wisdom comes from?  A. I believe that it came from the Internet Engineering Task Force or IETF.  Q. And what do you understand that to mean A. Protocols especially can be complicated, and it's easy for somebody to make a mistake when	16 17 18 19 20 21 22	customer."  Do you see that?  A. Yes.  Q. What does that mean?  A. Cisco is the first consumer of Cisco's products. There is a program at Cisco called "Cisco at Cisco." We are very leading edge in adopting our
17 18 19 20 21	in what you send."  Q. Do you know where that pearl of wisdom comes from?  A. I believe that it came from the Internet Engineering Task Force or IETF.  Q. And what do you understand that to mean A. Protocols especially can be complicated, and it's easy for somebody to make a mistake when designing a protocol.	16 17 18 19 20 21 22 23	customer."  Do you see that?  A. Yes.  Q. What does that mean?  A. Cisco is the first consumer of Cisco's products. There is a program at Cisco called "Cisco at Cisco." We are very leading edge in adopting our own products. And the idea for all products is,
17 18 19 20 21 22	in what you send."  Q. Do you know where that pearl of wisdom comes from?  A. I believe that it came from the Internet Engineering Task Force or IETF.  Q. And what do you understand that to mean!  A. Protocols especially can be complicated, and it's easy for somebody to make a mistake when designing a protocol.  The idea is that a software or a system	16 17 18 19 20 21 22	customer."  Do you see that?  A. Yes.  Q. What does that mean?  A. Cisco is the first consumer of Cisco's products. There is a program at Cisco called "Cisco at Cisco." We are very leading edge in adopting our own products. And the idea for all products is, before we give it to our customers, it's going to be
17 18 19 20 21 22 23	in what you send."  Q. Do you know where that pearl of wisdom comes from?  A. I believe that it came from the Internet Engineering Task Force or IETF.  Q. And what do you understand that to mean A. Protocols especially can be complicated, and it's easy for somebody to make a mistake when designing a protocol.	16 17 18 19 20 21 22 23	customer."  Do you see that?  A. Yes.  Q. What does that mean?  A. Cisco is the first consumer of Cisco's products. There is a program at Cisco called "Cisco at Cisco." We are very leading edge in adopting our own products. And the idea for all products is,

1	difference was between the way Juniper would expand		A. Yes.
2	the command after typing "sh" space versus how Cisc		MR. NEUKOM: I don't know who this error
3	would do it?	3	is on. Maybe it's just the way the document was
4	A. Once you type enough characters for the	4	produced, but I'll take a standing objection to any
5	Cisco CLI to recognize the word, it will act as if	5	and all questions on this document on the basis that
6	you typed the entire word. Whereas, the Juniper CLI	6	it appears to be an incomplete document.
7	apparently finished the word for you when you	7	MR. FERRALL: Why do you say that?
8	pressed space.	8	MR. NEUKOM: I say that just because this
9	Q. Oh, so the Cisco CLI didn't finish the	9	appears to me to be again, maybe this actually is
10	word, it just	10	the document, but what I'm concerned about is this
11	A. Accepted the abbreviated form.	11	appears to be an April 15 e-mail from the witness,
12	Q. I see.	12	which is a reply. I'm looking at the subject line
13	Did you ever come to learn of other	13	with the letters RE followed by a colon, and there
14	companies characterizing their CLI as being similar	14	is whatever the underlying whatever the e-mail
15	to Cisco's?	15	is that the witness was replying to is not on here.
16	A. I think there were some companies that	16	So maybe maybe this is the way the document
17	used some commands similar to Cisco's.	17	actually exists, but it doesn't appear that way, at
18	Q. When did you first learn of that?	18	least based on its face. So I'll have to take a
19	A. Probably around 1998 or 1999.	19	standing objection on that basis until we get that
20	Q. Do you remember what companies you learned	20	resolved.
21	had commands similar to Cisco's?	21	BY MR. FERRALL:
22	A. I believe that Redback Networks used some	22	Q. Do you recognize Exhibit 423, Mr. Remaker
23	commands similar to Cisco's commands.	23	A. I do.
24	Q. How did you learn that?	24	Q. What were the reasons why you wrote it?
25	A. I don't remember.	25	A. I don't recall. It looks like it's a
	Page 150		Page 152
1	Q. Were there other companies you learned	1	reply in the middle of a conversation.
2	about having commands similar to Cisco's in the	2	Q. Who is Mr. Pratt?
3	before 2000?	3	A. Mr. Pratt is an engineer, development
4	A. None that I can recall right away.	4	engineer, at Cisco Systems.
5	Q. How about after 2000? Did you come to	5	Q. The Re line says, "IOS CLI versus
6	learn of other companies that had commands similar		underlying OS."
7	to Cisco's?	7	Do you know what that's referring to?
8	MR. NEUKOM: Objection. Misstates prior	8	A. I do not without further context.
9	testimony and vague.	9	Q. So you start this e-mail by writing, "I
10	THE WITNESS: I presume that Arista uses	10	would describe the IOS command set as an" I think
11	commands similar to Cisco commands based on the fac		that should be "an," right? "emergent syntactic
12	that I've been asked to testify today.	12	anarchy (kind of like Perl, if you will)."
13	BY MR. FERRALL:	13	Do you see that?
14	Q. Okay. Well, I asked you about Arista	14	A. Yes.
15	already. So let's talk about other companies.	15	Q. And was I right to the "and" in that
16	Are you familiar with any other company	16	first sentence should be "an"?
17	using commands similar to Cisco's?	17	A. That is a yes, that is correct.
18	A. Not that I can recall.	18	Q. Okay. What do you mean by "emergent
19	(Exhibit 423 marked for identification.)	19	syntactic anarchy"?
20	BY MR. FERRALL:	20	MR. NEUKOM: Objection. The document
21	Q. I'm going to hand you what's been marked	21	speaks for itself.
22	as Exhibit 423, which is an e-mail from you dated	22	THE WITNESS: The syntax is not fixed but
23	April 15, 2008, bearing control numbers CSI-CLI	23	developed by individual developers and therefore
24	01133437. This is an e-mail you wrote, right,	24	emergent.
25	Mr. Remaker?	25	////
	Page 151		Page 153

1	remind you that I'm not a lawyer.	1	Q. Okay. Well, Mr. Remaker Remaker,
2	BY MR. FERRALL:	2	sorry. I almost made it through the whole
3	Q. No.	3	deposition without messing up your name.
4	I am trying to get that clarification.	4	So I have no further questions. This is
5	Did you mean litigation there?	5	the end of your personal deposition, I guess, unless
6	A. The litigation is what we were talking	6	Mr. Neukom has questions.
7	about.	7	MR. NEUKOM: Not at this time, no.
8	Q. Okay. Legislation is when like Congress	8	MR. FERRALL: Thank you.
9	passes law. There is no such thing at Cisco about	9	THE VIDEOGRAPHER: This concludes today's
10	Arista legislation, is there?	10	videotaped deposition of Mr. Phillip Remaker. We're
11	A. Not that I'm aware of, no.	11	off the record at 5:27 p.m.
12	MR. NEUKOM: You just wait.	12	(TIME NOTED: 5:27 P.M.)
13	BY MR. FERRALL:	13	(THME NOTED: 3.27 F.M.)
14	Q. So on this bullet point, now that we've	14	
15	clarified that "legislation" means "litigation,"	15	
16	your point was, you would have preferred that the D		
17	community be more involved and informed about the		
18	Arista litigation?	18	
19	MR. NEUKOM: Objection. Mischaracterizes	19	
20	the document.	20	
21	THE WITNESS: The document bullet point	21	
22	was intended that the most senior engineers be	22	
23	_	23	
24	informed of things that they might get questions about.	23	
25	about.	25	
23	Page 186	23	Page 188
	1490 100		1490 100
1	BY MR. FERRALL:	1	DECLARATION UNDER PENALTY OF PERJURY
2	Q. And why was the Arista litigation the	2	
3	example you choose to include in this bullet point	3	I, PHILLIP REMAKER, the witness herein,
4	about getting controversial issues in front of us?	4	declare under penalty of perjury that I have read the
5	A. A number of the distinguished engineers	5	foregoing in its entirety; and that the testimony
6	were asked about the Arista legislation when it	6	contained therein, as corrected by me, is a true and
7	was pardon me the Arista litigation when it	7	accurate transcription of my testimony elicited at said
8	was announced and were frustrated that they weren't	8	time and place.
9	able to provide any answers to people asking them	9	
10	about it.	10	Executed this day of 2016, at
11	Q. Is the Arista litigation a controversial	11	
12	issue?	12	(City) (State)
13	A. The Arista litigation has resulted in	13	
14	questions from people inside and outside Cisco to	14	
15	our distinguished engineers.	15	
16	Q. Such as what?	16	
17	A. What is the litigation about. What is	17	
18	Cisco trying to accomplish. Questions like that.	18	PHILLIP REMAKER
19	Q. Why is that controversial?	19	
20	A. It's controversial because the	20	
21	distinguished engineers pride themselves on being	21	
21 22		21 22	
	distinguished engineers pride themselves on being deeply informed and able to ask any questions that are asked of them. The controversy arises from the		
22 23 24	distinguished engineers pride themselves on being deeply informed and able to ask any questions that	22 23 24	
22 23	distinguished engineers pride themselves on being deeply informed and able to ask any questions that are asked of them. The controversy arises from the	22 23	Page 189

# 

1	REPORTER'S CERTIFICATION	
2	I, Leslie Johnson, a Certified Shorthand	
3	Reporter of the State of California, do hereby certify:	
4	That the foregoing proceedings were taken	
5	before me at the time and place herein set forth; that	
6	any witnesses in the foregoing proceedings, prior to	
7	testifying, were administered an oath; that a record of	
8	the proceedings was made by me using machine shorthan	nd
9	which was thereafter transcribed under my direction;	
10	that the foregoing transcript is a true record of the	
11	testimony given.	
12	Further, that if the foregoing pertains to	
13	the original transcript of a deposition in a Federal	
14	Case, before completion of the proceedings, review	
15	of the transcript [] was [] was not requested.	
16	I further certify I am neither financially interested in	
17	the action nor a relative or employee of any attorney or	
18	any party to this action.	
19	IN WITNESS WHEREOF, I have this date	
20	subscribed my name.	
21	Dated: April 13, 2016	
22		
23	<%signature%>	
24	LESLIE JOHNSON	
25	CSR No. 11451, RPR, CCRR	
	Page 190	